

JCS MAIL STOP PET AUG 2005

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 2-2005)

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER  
274123US0PCT

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)  
10/539,798

INTERNATIONAL APPLICATION NO.  
PCT/JP03/16179

INTERNATIONAL FILING DATE  
17 DECEMBER 2003

PRIORITY DATE CLAIMED  
20 DECEMBER 2002 (EARLIEST)

TITLE OF INVENTION  
POLYESTER RESIN COMPOSITION FOR TONER AND TONER

APPLICANT(S) FOR DO/EO/US  
Hirokazu ITO, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

Declaration of Yoko TAMURA

RECEIVED  
14 NOV 2005  
Legal Staff  
International Division

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/539,798</b>		INTERNATIONAL APPLICATION NO. <b>PCT/JP03/16179</b>		ATTORNEY'S DOCKET NUMBER <b>274123US0PCT</b>	
The following fees are submitted:				<b>CALCULATIONS</b>	<b>PTO USE</b>
24. <input type="checkbox"/> Basic national fee				\$300	\$0.00
25. <input type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).				\$100	\$0.00
All other situations.				\$200	
26. <input type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100	
International Search Report prepared and provided to the Office				\$400	\$0.00
All other situations.				\$500	\$0.00
<b>TOTAL OF 24, 25 and 26 =</b>					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	0	/50 = 0	x \$250.00	\$	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$50.00	\$	\$0.00
Independent claims	- 3 =	0	x \$200.00	\$	\$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	\$0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$0.00
<b>SUBTOTAL =</b>				\$	\$0.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
<b>TOTAL NATIONAL FEE =</b>				\$	\$0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$0.00
<b>TOTAL FEES ENCLOSED =</b>				\$	\$0.00
				Amount to be	\$
				Amount to be	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>15-0030</b> . A duplicate copy of this sheet is enclosed. d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. 11. 2003-09-01 09:00:00 150830 10539798 12. 2003-09-01 09:00:00 150830 10539798 13. 2003-09-01 09:00:00 150830 10539798 14. 2003-09-01 09:00:00 150830 10539798 15. 2003-09-01 09:00:00 150830 10539798 16. 2003-09-01 09:00:00 150830 10539798 17. 2003-09-01 09:00:00 150830 10539798 18. 2003-09-01 09:00:00 150830 10539798 19. 2003-09-01 09:00:00 150830 10539798 20. 2003-09-01 09:00:00 150830 10539798 21. 2003-09-01 09:00:00 150830 10539798 22. 2003-09-01 09:00:00 150830 10539798 23. 2003-09-01 09:00:00 150830 10539798 24. 2003-09-01 09:00:00 150830 10539798 25. 2003-09-01 09:00:00 150830 10539798 26. 2003-09-01 09:00:00 150830 10539798 27. 2003-09-01 09:00:00 150830 10539798 28. 2003-09-01 09:00:00 150830 10539798 29. 2003-09-01 09:00:00 150830 10539798 30. 2003-09-01 09:00:00 150830 10539798 31. 2003-09-01 09:00:00 150830 10539798 32. 2003-09-01 09:00:00 150830 10539798 33. 2003-09-01 09:00:00 150830 10539798 34. 2003-09-01 09:00:00 150830 10539798 35. 2003-09-01 09:00:00 150830 10539798 36. 2003-09-01 09:00:00 150830 10539798 37. 2003-09-01 09:00:00 150830 10539798 38. 2003-09-01 09:00:00 150830 10539798 39. 2003-09-01 09:00:00 150830 10539798 40. 2003-09-01 09:00:00 150830 10539798 41. 2003-09-01 09:00:00 150830 10539798 42. 2003-09-01 09:00:00 150830 10539798 43. 2003-09-01 09:00:00 150830 10539798 44. 2003-09-01 09:00:00 150830 10539798 45. 2003-09-01 09:00:00 150830 10539798 46. 2003-09-01 09:00:00 150830 10539798 47. 2003-09-01 09:00:00 150830 10539798 48. 2003-09-01 09:00:00 150830 10539798 49. 2003-09-01 09:00:00 150830 10539798 50. 2003-09-01 09:00:00 150830 10539798 51. 2003-09-01 09:00:00 150830 10539798 52. 2003-09-01 09:00:00 150830 10539798 53. 2003-09-01 09:00:00 150830 10539798 54. 2003-09-01 09:00:00 150830 10539798 55. 2003-09-01 09:00:00 150830 10539798 56. 2003-09-01 09:00:00 150830 10539798 57. 2003-09-01 09:00:00 150830 10539798 58. 2003-09-01 09:00:00 150830 10539798 59. 2003-09-01 09:00:00 150830 10539798 60. 2003-09-01 09:00:00 150830 10539798 61. 2003-09-01 09:00:00 150830 10539798 62. 2003-09-01 09:00:00 150830 10539798 63. 2003-09-01 09:00:00 150830 10539798 64. 2003-09-01 09:00:00 150830 10539798 65. 2003-09-01 09:00:00 150830 10539798 66. 2003-09-01 09:00:00 150830 10539798 67. 2003-09-01 09:00:00 150830 10539798 68. 2003-09-01 09:00:00 150830 10539798 69. 2003-09-01 09:00:00 150830 10539798 70. 2003-09-01 09:00:00 150830 10539798 71. 2003-09-01 09:00:00 150830 10539798 72. 2003-09-01 09:00:00 150830 10539798 73. 2003-09-01 09:00:00 150830 10539798 74. 2003-09-01 09:00:00 150830 10539798 75. 2003-09-01 09:00:00 150830 10539798 76. 2003-09-01 09:00:00 150830 10539798 77. 2003-09-01 09:00:00 150830 10539798 78. 2003-09-01 09:00:00 150830 10539798 79. 2003-09-01 09:00:00 150830 10539798 80. 2003-09-01 09:00:00 150830 10539798 81. 2003-09-01 09:00:00 150830 10539798 82. 2003-09-01 09:00:00 150830 10539798 83. 2003-09-01 09:00:00 150830 10539798 84. 2003-09-01 09:00:00 150830 10539798 85. 2003-09-01 09:00:00 150830 10539798 86. 2003-09-01 09:00:00 150830 10539798 87. 2003-09-01 09:00:00 150830 10539798 88. 2003-09-01 09:00:00 150830 10539798 89. 2003-09-01 09:00:00 150830 10539798 90. 2003-09-01 09:00:00 150830 10539798 91. 2003-09-01 09:00:00 150830 10539798 92. 2003-09-01 09:00:00 150830 10539798 93. 2003-09-01 09:00:00 150830 10539798 94. 2003-09-01 09:00:00 150830 10539798 95. 2003-09-01 09:00:00 150830 10539798 96. 2003-09-01 09:00:00 150830 10539798 97. 2003-09-01 09:00:00 150830 10539798 98. 2003-09-01 09:00:00 150830 10539798 99. 2003-09-01 09:00:00 150830 10539798 100. 2003-09-01 09:00:00 150830 10539798					
Customer Number: 22850					
SIGNATURE <i>Corwin Paul Umbach</i> Norman F. Oblon NAME 24,618 Corwin P. Umbach, Ph.D. REGISTRATION NUMBER Registration No. 40,211					

Rec'd PCT/PTO 11 AUG 2005

DOCKET NO.: 274123US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: Hirokazu ITO, et al.

SERIAL NO.: 10/539,798

FILING DATE: June 20, 2005

FOR: TONER POLYESTER RESIN COMPOSITION AND TONER

**DECLARATION OF Yoko TAMURA**

I, Yoko TAMURA am the third-named inventor of the above-identified application which is the national phase of PCT U.S. Application based on PCT/JP03/16179, filed December 17, 2003.

Subsequent to the filing of the International application, I have married and changed my surname. Specifically, my maiden name in the International application is "HARADA". My true and correct married name is Yoko TAMURA, which has been set forth on the Declaration, Power of Attorney and Petition filed June 20, 2005.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: July 28, 2005

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